

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

(1) ANGELA BEAUDIN,	)	
	)	
Plaintiff,	)	
	)	Case No. <u>CIV-16-1-D</u>
vs.	)	
	)	(On removal from the District Court of
(1) FENTON NISSAN OF ARDMORE,	)	Oklahoma County, State of Oklahoma,
INC., and	)	Case No. CJ-2015-6719)
(2) RBS CITIZENS BANK,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

1. Fenton Nissan of Ardmore, Inc. ("Fenton") is a Defendant in a civil action pending in the District Court of Oklahoma County, State of Oklahoma, and titled *Beaudin v. Fenton Nissan of Ardmore, Inc., et al.*, Case No. CJ-2015-6719 (the "State Court Action").

2. At the time of the filing of the State Court Action and at the present time, Plaintiff, Angela Beaudin, was and is a resident and citizen of the State of Texas. At the time of the filing of the State Court Action and at the present time, Defendant Fenton was and is an Oklahoma corporation with its principal place of business in Ardmore, Oklahoma. Upon information and belief, Defendant RBS Citizens Bank, N.A. is now known as Citizens Bank, N.A. ("Citizens Bank"), and is a British-owned American bank headquartered in Providence, Rhode Island, which operates in the states of Connecticut, Delaware, Illinois, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont.

3. This case involves a dispute over a sales transaction completed between the parties and alleges various state law contract, tort, and consumer protection violations against the Defendants. The Petition filed in the State Court Action does not specifically state an amount in controversy pursuant to 12 O.S. § 2008(A)(2). Accordingly, upon information and belief the amount in controversy exceeds the sum of \$75,000, exclusive of interests and costs.

4. This is the kind of action of which the United States District Courts have original jurisdiction under 28 U.S.C. § 1332 because there is complete diversity of citizenship between Plaintiff and Defendants and the amount in controversy exceeds \$75,000.

5. Under 28 U.S.C. § 1441(a), the State Court Action may be removed to the United States District Court for the Western District of Oklahoma because it is the United States District Court for the district and division embracing the place where the State Court Action is pending.

6. Fenton was served with the Summons and the Petition in the State Court Action on December 15, 2015. Therefore, this Notice of Removal is timely filed under 28 U.S.C. § 1446(b).

7. A copy of the docket sheet for the State Court Action is attached hereto as Exhibit 1. Additionally, copies of all process, pleadings, and orders served on Fenton in the State Court Action are attached as Exhibits 2–3.

8. In accordance with 28 U.S.C. § 1446(d), counsel for Fenton will serve a copy of this Notice of Removal on all other parties and will file a copy with the Clerk of

the District Court of Oklahoma County where the State Court Action is currently pending.

WHEREFORE, Fenton gives notice that the above-captioned action now pending in the District Court of Oklahoma County is hereby removed to this Court.

Dated this 4th day of January, 2016.

Respectfully submitted,

/s/ Emily S. Eleftherakis

Kurt M. Rupert, OBA #11982

Emily S. Eleftherakis, OBA #31985

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**ATTORNEYS FOR DEFENDANT  
FENTON NISSAN OF ARDMORE,  
INC.**

### **CERTIFICATE OF SERVICE**

I hereby certify that on the same date this Notice of Removal was filed in the United States District Court for the Western District of Oklahoma, a true and correct copy of said Notice of Removal was served upon the above-named Plaintiff, by mailing said copy to Plaintiff's attorneys of record, M. Kathi Rawls and Minal Gahlot, Rawls Gahlot, P.L.L.C., 2404 S Broadway, Moore, Oklahoma 73160, and further that a copy of said Notice of Removal was served on Defendant Citizens Bank, N.A. by mailing said copy to its principal place of business, c/o Registered Agent, One Citizens Plaza, Providence, Rhode Island 02903, and further that a copy of said Notice of Removal was delivered to the Court Clerk of the Oklahoma County District Court for filing that same date.

/s/ Emily S. Eleftherakis

Emily S. Eleftherakis